

ORDINANCE NO. 48-989

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED.

BE IT ORDAINED BY THE GOVERNING BODY  
OF THE CITY OF WICHITA, KANSAS.

**SECTION 1.** That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

**Case No. ZON2011-00004**

Zone change from SF-5 Single-Family Residential (“SF-5”) to LC Limited Commercial (“LC”) on a 0.54-acre property described as:

Lot 6, Block H, Westerlea Village Addition; generally located east of Mid-Continent Road/Ridge Road, between University and Taft Avenues, Wichita, Sedgwick County, Kansas.

**SUBJECT TO THE FOLLOWING PROVISIONS OF PROTECTIVE OVERLAY DISTRICT #251:**

- A. No off-site or portable signs shall be permitted on the subject property. No signs shall be permitted along the face of any building or along any street frontage that faces or is across the street from any property that is in a residential zoning district. Signs will be a monument type of sign, as permitted by the sign code in the LC zoning district.
- B. Light poles shall be of the same color and design and shall have cut-off fixtures which direct light away from any abutting or adjacent properties that are in a residential zoning district. Light poles shall be limited to a maximum height, including the base of the light pole, of 25-feet. Light poles shall not be located within any setbacks. Lighting on buildings must be directed down, away from abutting and adjacent residential zoned properties
- C. Outdoor speakers and sound amplification systems shall not be permitted, with the exception of restaurant order boards.
- D. No buildings shall exceed one story in height with a maximum building height of 35 feet.
- E. A 6-8 foot high solid wooden fence shall be constructed parallel to the south and east property lines of the subject site, where it abuts existing single-family residences and SF-5 Single-family Residential zoning. Five years after the governing body approves the requested zoning, the wooden fence will be replaced with a 6-8 foot masonry wall, where the subject site abuts residential zoning. A 15-foot wide landscape buffer will be provided along the south and east sides of the subject site.
- F. Deliveries and trash service shall be between the hours of 6 AM and 10 PM
- G. The subject site shall comply with the compatibility setback standards on the interior side yard (south) and rear yards (east).
- H. All access onto public right-of-way, cross lot access, internal circulation, utility easements, drainage and the final size and configuration of the subject site shall be resolved, per the

standards of the Subdivision Standards, as reviewed and recommended by Public Works, Strom Water, Water and sewer, Fire and Traffic; City staff and all franchised utilities. No building permits shall be issued until City staff has reviewed all necessary plans for water and sewer, grading, drainage, access, and all utilities.

- I. The following uses shall not be permitted: adult entertainment establishment; group residence; correctional placement residence; group home; recycling collection station; reverse vending machine; car wash; convenience store; night club; recreation and entertainment; outdoor vehicle sales; service station; tavern and drinking establishment; and vehicle repair.

**SECTION 2.** That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

**SECTION 3.** That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

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Carl Brewer - Mayor

**ATTEST:**

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Karen Sublett, City Clerk

(SEAL)

Approved as to form: \_\_\_\_\_  
Gary E. Rebenstorf, City Attorney